

FOOTHILL TRANSIT

MINUTES

The meeting of the Foothill Transit Executive Board was held Friday, July 24, 2009, at the Foothill Transit Board Room, 100 South Vincent Avenue, 2nd Floor, West Covina.

Chair De La Torre called the meeting to order at 8:01 a.m. The following members were present, constituting a quorum of the Executive Board:

Michael De La Torre, Chair
Roger Chandler, Vice Chair
Peggy Delach
Carol Herrera
Paula Lantz

Pledge of Allegiance

Chair De La Torre led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES FOR THE REGULAR MEETING OF JUNE 26, 2009

The minutes for the regular meeting of June 26, 2009 were approved.

Motion: Vice Chair Chandler, seconded by Member Delach
Vote: Unanimously carried

PRESENTATIONS

5.1 Contractors' Employee Recognition

Wayne Fritz, General Manager, introduced and recognized the Arcadia location MV Transportation Operator of the Month, Eleazar Bermudez, who has driven with Foothill Transit for thirteen months; MV Transportation Employee of the Month, Lucille Ruiz, who doubled as a coach operator and trainer for the past fifteen-and-a-half years.

Peter Greenberg, General Manager, introduced and recognized the Pomona location's First Transit Operator of the Month, Reyna Moore, who has been a coach operator for eleven years with an accident-free record for the past seven years, and has accomplished ten perfect ride checks; First Transit Employee of the Quarter, John Jackman, who has been the Downtown Los Angeles dispatcher for fifteen years.

Doran Barnes, Executive Director, introduced and recognized the Veolia Transportation Employee of the Quarter, Pat van Gaalen, Foothill Transit's front office receptionist who provides outstanding customer service to riders and has provided departments with valuable assistance with the TAP program and the "Dump the Pump" campaign.

Chair De La Torre congratulated those recognized.

5.2 Recognition of Past Chair Delach

Doran Barnes, Executive Director, recognized and thanked former Chair Peggy Delach on behalf of the entire Foothill Transit organization for her accomplishments while in office. She was presented with a plaque bearing artwork. Former Chair Delach thanked Foothill Transit for the honor and acknowledged staff for a job well done.

Chair De La Torre welcomed and introduced Mr. Alex Lodde, co-founder and CEO of MV Transportation, who commented that his company has been in operation for thirty-five years and has enjoyed his association with Foothill Transit. Mr. Lodde expressed his appreciation to Foothill Transit for honoring its employees every month.

Chair De La Torre welcomed and introduced Mr. Nick Promponas, Senior Vice President, First Transit, who thanked former Chair Delach for a job well done and wished newly elected Chair De La Torre the best of luck.

PUBLIC COMMENT

There was none.

CONSENT CALENDAR:

The Executive Board adopted the Consent Calendar items 7-8.

Motion: Member Lantz, seconded by Member Delach
Vote: Unanimously carried

REGULAR AGENDA:

2009 GO RIO PASS PROGRAM UPDATE

Kevin McDonald, Deputy Executive Director, reported that the Go Rio Pass Program was established in 2006 under the partnership of Foothill Transit and Rio Hondo College. Go Rio provides Rio Hondo College full-time students free travel on Foothill Transit and other local provider buses by showing their valid ID card upon boarding. Foothill Transit currently receives approximately \$10,000 in subsidy annually from Rio Hondo for the program. Through the coordination of the college administration, the Associated Student Body, Metro, Norwalk Transit, Montebello Transit, Foothill Transit and Sunshine Shuttle, the program has provided transit services to hundreds of students.

Russell Castaneda-Calleros, Director of Government Relations and Community Relations, Rio Hondo College, reported that the Go Rio Pass program is entering its fourth year of operation; Foothill Transit has been on board since the launch of the program. It is a universal access mass transit program, conceived by the college's Board of Trustees and fits in with Rio Hondo College's mission of connecting students with resources that allow

them to maximize their potential. The Pass Program is currently available to full-time students, there are future plans to offer the program to part-time students. The Go Rio program is unique in that it is operated with the cooperation of five other transit companies; line transfers are highly flexible.

Information on the Go Rio Pass Program is disseminated by the college's Marketing Department. Eligible students are notified via postcard before the semester begins. Students are required to sign a log at the Admissions & Records Office and the office affixes a sticker to the Student's ID card. Several colleges have seen the development of the Go Rio Pass Program and are interested in adopting their own transit programs.

The Executive Board received and filed the 2009 Go Rio Pass Program update.

Motion: Vice Chair Chandler, seconded by Member Delach

Vote: Unanimously carried

CONTRACT AWARD – REPLACEMENT OF ADMINISTRATIVE OFFICE WINDOWS

Gary Nehls, Director of Procurement, reported that on February 19, 2009, the Executive Board authorized the Executive Director to issue an Invitation for Bids (IFB) for the replacement of exterior office windows at the West Covina Administrative Offices. IFB No. 09-018 was issued on June 30, 2009, and bids were received on July 16, 2009, from five firms. Two bids were withdrawn by the bidders, and the others exceeded the amount budgeted for this contract. In accordance with Foothill Transit's procurement policies, it is requested that the item be withdrawn and returned to the Board for a re-bid process.

Vice Chair Chandler recommended that the item be brought back to a later meeting with bids that are appropriate for Foothill Transit.

The Executive Board authorized the Executive Director to cancel the procurement of a contract in the amount of Nine Hundred Fifty Thousand Eight Hundred Twenty Nine Dollars (\$950,829.00) with Larry Brown Construction for the replacement of exterior office windows and main floor entrance storefront systems at the West Covina Administrative Offices.

Motion: Vice Chair Chandler, seconded by Member Lantz

Vote: Unanimously carried

EXERCISE OF OPTION ON AGREEMENT NO. 06-024 WITH FIRST TRANSIT, INC.

Gary Nehls, Director of Procurement, reported that the current agreement with First Transit took effect on February 2007 with a base term of two years and three available one-year options. The Executive Board authorized the exercise of the first option year at their April 25, 2008, meeting; the first option year expires in February 2010.

The Executive Board also authorized the modification of the First Transit agreement to facilitate the contractor being compensated on the basis of its variable rate per Revenue Hour for any Revenue Hours that are in excess, on an annual basis, of the number of hours

in their agreement. Prior to that amendment, the variable rates became effective on a month-by-month basis when Revenue Hours exceeded the hours in the agreement. The recommendation is to exercise both remaining one-year options is based on First Transit's strong performance to date.

The Executive Board authorized the Executive Director to exercise the second and third one-year options on agreement No. 06-024 with First Transit, Inc. for transit services operated out of Foothill Transit's Pomona facility.

Motion: Member Delach, seconded by Chair De La Torre
Vote: Unanimously carried

CUBIC CONTRACT PRICE ADJUSTMENT

Ed Gill, Special Legal Counsel, reported that Cubic Transportation has requested that Foothill Transit consider increasing the contract price of Contract Amendment No.1 by \$63,668 plus sales tax, to reflect Cubic's "intention" to include the price of the deleted equipment in the reduced price of additional equipment. This was not clearly stated in Cubic's November 25, 2008 proposal and was not raised by Cubic at the time that Contract Amendment No. 1 was executed.

The request for price adjustment comes after Cubic Transportation's offer to Foothill Transit of a reduced price of \$400,000 for additional equipment and services for Change Notices 01, 02 and 03. Cubic indicated that it was their intention that this amount was to include the reduction of \$63,668 for deleted equipment. However, the November 25, 2008 proposal did not make this clear and Cubic executed Contract Amendment No. 1 which did address Cubic's "intent".

The Executive Board did not consider the additional payment in the amount of \$63, 668 plus sales tax to Cubic Transportation, and denied the contract price adjustment.

Motion: Member Lantz, seconded by Herrera
Vote: Unanimously carried

CONTRACT WITH SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Ed Gill, Special Legal Counsel, reported that on May 2009, the Executive Board directed staff to continue negotiations with Clean Energy regarding the leasing of property on the perimeter of the Irwindale-Arcadia site to be used as a public access CNG dispenser station. Clean Energy has obtained funding to assist in the construction of the public access station from the South Coast Air Quality Management District (SCAQMD); however, SCAQMD can only enter into a funding contract with a public agency.

Accordingly, Foothill Transit would enter into the contract with the SCAQMD and would also enter into a contract with Clean Energy which, in essence, would assign all of Foothill's responsibilities under its contract with SCAQMD to Clean Energy.

Accordingly, Foothill Transit would:

- Have no responsibility to construct the public access station.
- Have no responsibility to operate the public access station; and
- Incur no financial obligations relative to the construction or operation of the public access station. All such responsibilities would rest with Clean Energy.

The Executive Board authorized the Executive Director to:

1. Negotiate final terms and conditions and execute a contract with SCAQMD for the construction of a public access CNG station at Foothill Transit's Irwindale-Arcadia site; and
2. Negotiate final terms and conditions and execute a contract with Clean Energy wherein Clean Energy would assume all of Foothill Transit's responsibilities under the Foothill Transit contract with the SCAQMD.

Motion: Vice Chair Chandler, seconded by Member Lantz

Vote: Unanimously carried

PERFORMANCE INDICATORS REPORT – FISCAL YEAR 2009

Dietter Aragon, Planning Manager, presented the Performance Indicators Report for Fiscal Year 2009, which provides an analysis of Foothill Transit's nine key indicators on a month-to-month basis. Data is collected from a variety of sources such as the fareboxes on buses, contractor reported data, and financial performance data.

- **Boardings** – Overall boardings recorded by the farebox for June 2009 were 1,198,089. This total is 7.93% below last year's ridership. For the Fiscal Year, Foothill Transit recorded 14.8 million boardings, a decrease of less than 1% from the previous Fiscal Year. This can be attributed to: 1) The price of gasoline has decreased, and 2) The rise in unemployment, which means fewer riders to the business district of Downtown Los Angeles.
- **Fare Revenue** - Total fare revenue for June 2009 was \$1,126,901, resulting in an average fare of \$0.94 per boarding. This is a decrease of 26% from last year's figures. There was also an increase in 31-Day Pass exchanges for the new Transit Access Pass (TAP) fare media. Fiscal Year 2009 revenues of \$16.8 million represent an increase of almost 2% from the previous Fiscal Year.
- **Operating Expenses** – Total operating expenses for June 2009 were \$5,502,845, resulting in an average cost per service hour of \$88.41. These operating expenses represent an increase of 8.89% from the June 2008 figure. The Fiscal Year operating expense was \$66.8 million, \$4.3 million less than the proposed Fiscal Year budget, resulting in a Fiscal Year cost per hour of \$87.20.

Foothill Transit's performance indicators related to achieving its four primary goals in the following:

Goal #1 – Operate a Safe Transit System – Foothill Transit's primary goal is to operate a safe transit system. The number of preventable accidents incurred for every 10,000 miles

of vehicle operation measures system safety.

Foothill Transit adopted a standard of 0.85 preventable accidents per 100,000 miles for Fiscal Year 2009. Preventable accidents for June 2009 were below target at 0.58, representing seven preventable accidents for the month. The Fiscal Year average of 0.47 preventable accidents per 100,000 miles equates to 69 preventable accidents for the Fiscal Year. This is an improvement of approximately 32% over Fiscal Year 2008.

Goal #2 – Provide Outstanding Customer Service – Foothill Transit measures achievement of this goal by monitoring the following categories:

- **Complaints Per 100,000 Boardings** – An average of 8.6 complaints per 100,000 boardings was recorded in June 2009, which is above the performance target of 7.5. Of the 102 complaints received during the month, 42 were related to schedule adherence, 32 related to fares, 24 related to operator courtesy, and four related to safety. For the fiscal year, Foothill Transit recorded a total of 998 complaints, resulting in an average of 7.00 complaints per 100,000 boardings. This is an improvement of 14% when compared to the previous fiscal year.
- **Average Miles Between Mechanical Roadcalls** – In June 2009, Foothill Transit averaged 27,433 miles between mechanical roadcalls, well above the fiscal year target of 15,000 miles. For the fiscal year, Foothill Transit averaged 21,640 miles between mechanical roadcalls, an increase of 19% compared to the previous fiscal year. This indicator measures overall performance of Foothill Transit's maintenance departments, and reflects customer delays as a result of service interruptions.
- **Average Hold Time** – For the month of June, calls answered and walk-in traffic increased at most Transit Stores due to TAP-related questions and purchases. The Average Hold Time remains below the performance target at 32 seconds. However, this is an improvement of 30% when compared to the previous fiscal year.
- **Schedule Adherence** – In June 2009 the agency achieved an average of 88.3% on-time performance on all lines, representing an improvement of almost 18% when compared to June 2008. Foothill Transit averaged 82% on-time performance for the fiscal year. This is an improvement of 7% when compared to Fiscal Year 2008.

Goal #3 – Operate An Effective Transit System – Foothill Transit measures its overall effectiveness as a transit system by monitoring:

- **Boardings per Vehicle Service Hour** – The agency averaged 19.2 boardings per vehicle service hour in June 2009. This is slightly below the fiscal year performance target of 19.7 and represents an almost 6% decrease from the previous year. For the fiscal year, boardings per vehicle service hours averaged 19.4. When compared to the previous fiscal year, boardings per vehicle service hours remained relatively flat.
- **Average Weekday Boardings** – In June 2009 the agency averaged 46,529 boardings per weekday, well below the fiscal year target of 49,000 average

weekday boardings. This is a decrease of 9% when compared to June 2008. There was approximately a 6% drop in average weekday boardings on commuter express lines. Foothill Transit averaged 48,277 boardings per weekday, which is just below the fiscal year target of 49,000 and represents a 1% decrease from Fiscal Year 08.

Goal #4 – Operate An Efficient Transit System – Foothill Transit measures its overall efficient use of available resources by monitoring:

- Farebox Recovery Ratio – In June 2009, the farebox recovery ratio was 20.48%, but for the fiscal year it averaged at 25.07%. Although it is below the target of 26.33%, it represents an improvement of 2% when compared to the previous fiscal year. Farebox recovery is calculated by dividing total revenue by total operating expense.
- Average Cost Per Vehicle Service Hour - The organization's average cost per vehicle service hour in June 2009 was \$88.41, a decrease of almost 7% when compared to June 2008. For the fiscal year, cost per hour was \$87.20. Cost continues to remain below budget as fuel prices remain below budgeted figures.

Member Delach commented that company performance for the upcoming Fiscal Year should improve with the launching of the new TAP card system.

The Executive Board received and filed the Fiscal Year 2009 Performance Indicators report.

Motion: Member Delach, seconded by Chair De La Torre

Vote: Unanimously carried

EXECUTIVE DIRECTOR COMMENT

Doran Barnes, Executive Director, reported the following:

- Several months ago the California Transit Association (CTA) took legal action against the state of California for the diversion of funds allocated for transportation projects to other uses. Although the state prevailed in the initial court case the CTA took their case to the Court of Appeals where the judgment was in their favor. The judgment was based on the fact that prior State propositions had it written in their language how the funds should be directed and the state was not following that process. If the funds are returned to the State Transportation Assistance program it will greatly impact Foothill Transit's budget dramatically.
- A hearing before the West Covina Planning Commission regarding the West Covina Park 'N Ride project is scheduled for August 11, 2009. Document requirements have been met.
- The American Public Transportation Authority (APTA) Board Members conference was held the week of July 13th. This conference deals with important

matters such as governance and funding issues.

BOARD MEMBER COMMENT

Member Herrera congratulated former Chair Delach on her presentation received earlier in the meeting, and thanked her for her valuable contributions in support of Foothill Transit. Member Herrera commented on numerous e-mails received from a contractor that did not win the contract for the construction of electric buses for Foothill Transit. In spite of this contractor's appeal for another opportunity, Member Herrera does not want to receive any more e-mails.

**CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code § 54956.8) – Property Address/Location: APN #84474-009-009**

**CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED
LITIGATION Significant exposure to litigation (Government Code § 54956.9(b):
Written request for mediation received from Watry Design, Inc.**

The Executive Board recessed at 8:59 a.m. to Closed Session.
The Executive Board reconvened at 9:27 a.m. from Closed Session.

Darold Pieper advised that no reportable action was taken.

ADJOURNMENT

There being no further business, the Executive Board adjourned at 9:27 a.m.

Staff and guests present:

Doran Barnes, Executive Director
Kevin McDonald, Deputy Executive Director
Darold Pieper, Legal Counsel
Ed Gill, Special Counsel
Dietter Aragon, Planning Manager
Richard Hasenohrl, Director of Finance
Gary Nehls, Director of Procurement
Alex Lodde, MV Transit
Nick Promponas, First Transit
Wayne Fritz, General Manager
Peter Greenberg, General Manager
Roland Cordero, Director of Facilities

Staff, Commission Services:

Martha Arana
Jimmy Prieto